

Appln No. 10/622,221  
Amdt date December 13, 2007  
Reply to Office action of August 13, 2007

### REMARKS/ARGUMENTS

In the Office action dated August 13, 2007, the Examiner rejected claims 1, 2, 4, 6, 9-17, 19 and 22-29 under 35 U.S.C. §103(a) as allegedly obvious over Cox, et al. (U.S. Patent No. 6,161,543) in view of Whayne, et al. (U.S. Patent No. 6,203,525). In making this rejection, the Examiner asserts that Cox discloses a non-conductive tubing having "a pre-formed generally heel-shaped curve comprising a first bend away from the axis of the catheter body and a second bend back toward and past the axis of the catheter body." Office action, page 3. However, the Examiner points to no passage in Cox or any other reference that discloses this feature. Indeed, Cox fails to disclose this feature. Rather, Cox discloses "elongated ablating devices" having "elongated ablation surfaces" for forming "elongated transmural lesions." Column 4, lines 22-39; *see also* column 9, lines 50-61 (describing the ablating end as including an *elongated* ablating surface extending rearwardly from the distal end). Cox nowhere describes an ablating end or surface that has "a pre-formed generally heel-shaped curve comprising a first bend away from the axis of the catheter body and a second bend back toward and past the axis of the catheter body," as recited in independent claims 1 and 17. Although Figures 6A through 6D may depict an ablating surface extending through a sleeve and having a bend, the ablating surface is nowhere described as having a *pre-formed* bend with a *first bend* away from the axis of the catheter body and a *second bend* back toward and past the axis of the catheter body, as claimed. Accordingly, independent claims 1 and 17, and all claims dependent therefrom, including claims 2, 4, 6, 9-16, 19 and 22-29, are allowable over Cox and Whayne.

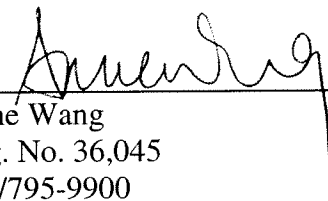
The Examiner also rejected claims 30-32 under 35 U.S.C. §103(a) as allegedly obvious over Cox and Whayne in view of one or more of Fung, et al. (U.S. Patent No. 6,120,476) and Swanson, et al. (U.S. Patent No. 5,961,513). Each of claims 30-32 depends from one of independent claims 1 and 17, both of which are allowable over Cox and Whayne as discussed above. Neither Fung nor Swanson remedies the deficiencies of Cox and Whayne because neither Fung nor Swanson teaches or suggests a pre-formed generally heel-shaped curve comprising a first bend away from the axis of the catheter body and a second bend back toward and past the

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axis of the catheter body, as recited in independent claims 1 and 17. Therefore, independent claims 1 and 17, and all claims dependent therefrom, including claims 30-32, are allowable over Cox, Whayne, Fung and Swanson.

Claims 1, 2, 4, 6, 9-17, 19 and 22-32 remain pending in this application with claims 33 and 34 withdrawn from consideration. In view of the above remarks, Applicant submits that all of pending claims 1, 2, 4, 6, 9-17, 19 and 22-32 are in condition for allowance. Applicant therefore respectfully requests reconsideration and a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact Applicant's counsel at the number indicated below.

Respectfully submitted,  
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